

Environmental Justice

Regulatory Compliance and Guidance

In order to identify the project's effects on minorities and low-income populations, an environmental analysis will be prepared in accordance with Title VI of the Civil Rights Act of 1964 (CRA) and Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994). In addition to the requirement of CRA Title VI and EO 12898, the following regulations would also apply to the project's environmental justice analysis and outreach efforts:

- U.S. Department of Transportation Order 5610.2; and
- Executive Order 13166 pertaining to people who are Limited English Proficient (LEP) and grounded on Title VI (signed on August 11, 2000).

The following documents will be used as guidance for the project's environmental justice outreach and analysis efforts:

- FHWA/FTA Public Involvement Techniques for Transportation Decision-making (September 1995);
- FTA Resource Information Center – Environmental Justice:
http://www.fta.dot.gov/transit_data_info/reports_publications/publications/environment/4805_5139_ENG_HTML.htm;
- Environmental Justice in the OMPO Planning Process: Defining Environmental Justice (March 2004);
- FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (December 2, 1998);
- Council on Environmental Quality, Environmental Justice Guidance Under the National Environmental Policy Act (December 10, 1997); and
- Hawaii Department of Transportation, Title VI Plan (2003).

Figure 2-1 describes the process by which environmental justice will be analyzed for the proposed project.

Alternative Analysis Phase Methodology

Populations that meet the federal definitions for protected group status (minority and/or low-income population) under Executive Order 12898 will be referred to as “communities of concern”. The term “low-income”, in accordance with U.S. Department of Transportation Order 5610.2 and agency guidance, is defined as a person with household income at or below the Department of Health and Human Services (HHS) poverty guidelines. The U.S. Census Bureau has developed poverty thresholds, which are used for calculating all official poverty population statistics. Census Bureau compares the thresholds to a family's income to determine its poverty status. (U.S. Department of Health and Human Services, 2006) Poverty status determined by the Census Bureau will be used to determine low-income populations within the study corridor.

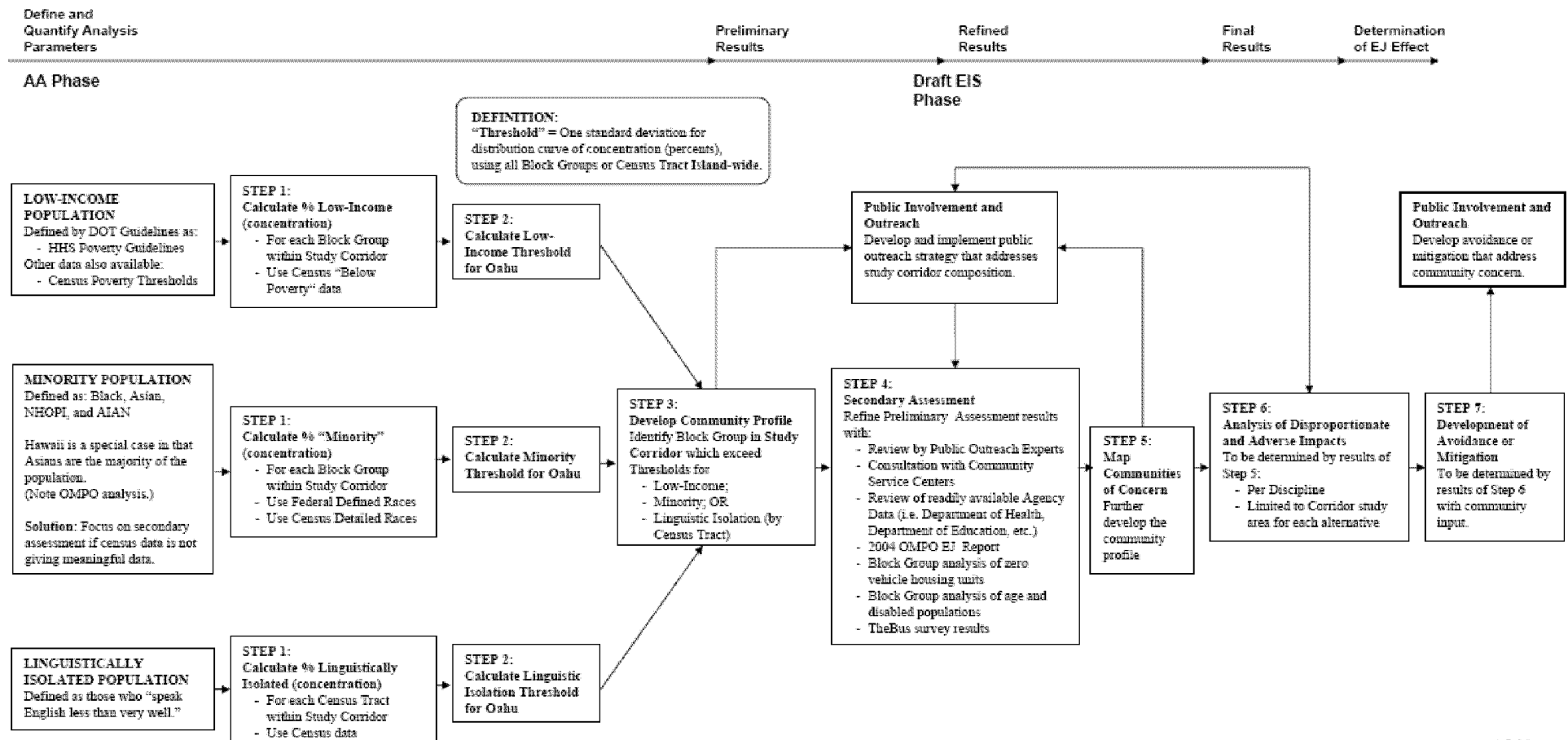
ENVIRONMENTAL JUSTICE ANALYSIS Honolulu High-Capacity Transit Corridor Project

EXECUTIVE ORDER (EO) 12898

"...to identify and address disproportionately high and adverse effects... on the health or environment of minority or low-income populations..."

GOAL OF ANALYSIS:

If minority or low-income populations are found in the project vicinity, good faith effort must be made to ensure that disproportionate and adverse impacts on low-income and minority populations are prevented, minimized, or mitigated.



4-7-06

Figure 2-1. Environmental Justice Analysis

While not strictly correct for application on Oahu, where Asians and Pacific Islanders comprise a majority of the population, the federal definition of minority will be used for the Honolulu High-Capacity Transit Corridor Project. The U.S. Department of Transportation issued Order 5610.2 to comply with Executive Order 12898 and generally describes the process to incorporate environmental justice principles (as embodied in the Executive Order) into existing programs and policies. The U.S. Department of Transportation Order 5610.2 and subsequent agency guidance defines the term “minority” to include any individual who is: Black (a person having origins in any of the black racial groups of Africa); Hispanic (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race); Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); American Indian and Alaskan Native (a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition). Recognizing that the majority of the population on Oahu is comprised of the federally-defined minority populations, a supplemental identifier (linguistic isolation) will be analyzed to determine communities of concern. Federally defined minority groups will be identified, but the analysis of effects on communities of concern will focus on low-income and linguistically isolated populations.

Impacts Analysis

The intent of soliciting input from communities of concern is to encourage the disadvantaged populations to articulate issues that should be addressed before they become complaints, and to provide opportunities for meaningful involvement in the discussion of alternatives analysis, location of features, and/or design of the alternatives throughout the project.

Analysis of impacts to disadvantaged populations consists of three integrated parts. The first is identification of minority and/or low-income populations within the project study area; the second part is a determination of whether they will experience disproportionately high and adverse impacts; and the third is outreach to and involvement of minority and low-income populations.

Ethnic and racial minority and low-income population groups in the affected community will be identified using 2000 U.S. Census Data. As shown in Step 1 (Figure 2-1), concentrations (percentage of the total population within an area) of minority, low-income, and linguistically isolated populations will be identified. Identification of communities of concern will be based on the percentage of minority or low-income population within the census tracts that is meaningfully greater than the minority or low-income population percentage in the relevant Development Plan area or Oahu overall. Based on CEQ guidance, “minority populations should be identified where either: (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis.” (CEQ, 1997).

The fifty percent benchmark is not meaningful because Hawaii's overall population composition is greater than 50 percent minority; therefore, the definition of "minority" will be used only when the minority population of the affected area is meaningfully greater than the surrounding population. Based on knowledge of the ethnic composition on Oahu overall, "meaningfully greater" will be defined as when there is a concentration greater than the defined threshold. The "threshold" will be defined as one standard deviation from the island-wide average concentration for all block groups or census tracts island-wide. Low-income population groups will be identified there is a greater than one standard deviation difference from the island-wide average. Linguistically isolated population groups will be identified when there is a greater than one standard deviation difference from the island-wide average. Obtaining the island-wide average and standard deviation is shown as Step 2 in Figure 2-1. A map of those block groups that contain a substantially greater concentration of minority or low-income residents and census tracts that contain a substantially greater concentration of linguistically isolated residents (because data is not available at the block group level) when compared to Oahu as a whole will be mapped to develop a preliminary community profile (Step 3 in Figure 2-1).

Draft EIS Phase Methodology

Census data can only provide a preliminary setting of the communities in the study corridor. Once the preliminary information from the census data has been obtained, the results of the community profile will be refined using input from the project's public outreach experts, social service providers, available agency data, additional census data, and TheBus survey data. The project's public outreach team will be consulted to identify additional communities of concern identified through local knowledge and ongoing public outreach activities. The immigrant service provider Pacific Gateway Center (formerly known as the Immigrant Center) will be consulted to help further identify areas that may contain minority or linguistically isolated populations within the project study area. Other community service facilities may also be contacted as needed to refine the identification of potential communities of concern. Available agency data can include information such as reading proficiency from the Hawaii Department of Education. In addition, census data identifying populations likely to be transit dependent such as housing units with no cars, populations of children or senior citizens, and disabled populations will be used to supplement input from community services facilities and public outreach experts. TheBus survey results may also support the identification of transit dependent communities.

Areas of potential communities of concern will be identified using the guidance documents listed above and data gathered from the US Census Bureau, community service facilities, and field surveys. These areas will then be mapped and in consultation with DTS, FTA, and FHWA a preliminary assessment of areas with possible environmental justice impacts will be determined.

The extent to which high and adverse impacts fall disproportionately on minority and low-income populations will be determined for each alternative. This analysis will address both the issues that were raised during the outreach program and any pertinent impacts identified in the technical analysis prepared for this project. The final step is to

determine which high and adverse impacts, if any, are excessively disproportionate for any alternative. The determination of disproportionate impacts generally will be based on comparison of the impacts to the disadvantaged population compared to other groups within the corridor. Using this approach ensures that the analysis considers both the positive benefits to and the negative effects on the areas most directly served by each alternative. Other factors that may be taken into account include design, comparative impacts, relative benefits that accrue to the community, and the relevant number of similar existing and planned system elements in non-minority and non-low-income areas.

Mitigation Development

DTS and FTA shall be involved in any decisions with regards to commitments or mitigation measures designed to avoid or minimize disproportionate high and adverse impacts to communities of concern beyond the current definition of the project. Mitigation measures, if any, would reflect input from the affected communities of concern and community leaders.

Outreach

At each stage that the community profile is developed and refined, the information obtained can be used to refocus or develop new public outreach strategies, if necessary, so that meaningful involvement in the discussion of alternatives analysis, location of features, and/or design of the alternatives throughout the project process can be sought by the public.

Public reading materials will be produced as part of the overall public involvement program. These materials are anticipated to include flyers advertising upcoming public meetings, brochures providing information about the proposed project, and other printed material as necessary. Identified disadvantaged populations will be informed about public involvement activities and encouraged to attend, provide input, or be added to the project mailing list.

In order to reach populations who do not speak or read English, information on obtaining all reading materials will be available in other languages. The decision to have the materials made available in other languages will be made upon request and/or depending on what is learned from public involvement activities and contact with community organizations, churches and other groups. Languages potentially needed include Japanese, Korean, Samoan, Tongan, Ilocano, Spanish, Vietnamese, Laotian, and Chinese.

Flyers advertising public meetings and other project information will be mailed to stakeholders on the project mailing list. For environmental justice outreach, these flyers will also be mailed to potential environmental justice neighborhoods (in the appropriate language), and provided to the churches and community service organizations listed in Table 2-1, which may have access to communities of concern.

Table 2-1. Environmental Justice Outreach List

Affordable Housing and Homeless Alliance	Korea Daily of Hawaii
Aloha United Way	Korean Presbyterian Church of Honolulu
Angel Network Charities	Lanakila Health Center
Big Brothers Big Sisters of Honolulu	Legal Aid Society of Hawaii
Boys and Girls Club of Hawaii	Maililand
Catholic Charities Community and Immigrant Services	Mental Health Kokua
Catholic Charities Hawaii	Moilili Community Center
Central Samoan Assembly of God	Na Loio
YMCA	New Hope Christian Fellowship
Child and Family Service	Nikkan Sun (newspaper)
Child and Family Services	Nuuanu Baptist Church
Chinese Lutheran Church	Office of Community Services
East-West Journal	Office of Refugee Resettlement
FIL-AM Courier	Ohana Ola O Kahumana
Filipino Chronicle	Olelo Community Television
First Chinese Church of Christ	Pacific American Foundation
Goodwill Industries of Hawaii	Pacific Gateway Center
Gregory House Programs	Palama Settlement
Hale Kipa, Inc.	Parents and Children Together
Hawaii Chinese News	Pauahi Community Center
Hawaii Community Foundation	Puerto Rican Association of Hawaii United
Hawaii Foodbank	Queen Liliuokalani Children's Center
Hawaii Hochi	Radio Seoul
Hawaii Immigrant Service	River of Life Mission
Hawaii Literacy	Safe Haven
Hawaii Meals on Wheels, Inc.	Salvation Army Family Services
Hawaii Pacific University	Sing Tao Daily Hawaii Agent
Honolulu Community Action Program	Susannah Wesley Community Center
Housing and Community Development Corporation of Hawaii	The Filipino Community Center, Inc.
US Department of Housing and Urban Development	United Chinese Society
Homeless Solutions	University Avenue Baptist Church
Institute for Human Services	Vietnamese Catholic Community
Kahumana Residential Treatment Services	Vietnamese Community of Hawaii
Kaimuki Christian Church	Volunteer Legal Services of Hawaii
Kalihi Child Care Pre-school	Waianae Coast Comprehensive Health Center
Kalihi-Palama Health Center	Waikiki Health Center
Kalihi Union Church	Weinberg Village Waimanalo
Kaumakapili Church	Young Buddhist Association - Honolulu
KNDI - 1270 AM (Micronesian)	